

**SUPREME COURT MINUTES
MONDAY, JULY 31, 2017
SAN FRANCISCO, CALIFORNIA**

S223536 A138306 First Appellate District, Div. 2

**MOUNTAIN AIR
ENTERPRISES, LLC v.
SUNDOWNER TOWERS, LLC**

Opinion filed: Judgment affirmed in full

Majority Opinion by Chin, J.

-- joined by Cantil-Sakauye, C. J., Werdegar, and Cuéllar, JJ.

Dissenting Opinion by Kruger, J.

-- joined by Corrigan and Liu, JJ.

S243474 B283809 Second Appellate District, Div. 2

**ESTRELLA (JESUS) v. S.C.
(CALIFORNIA STEEL &
LUBE, LLC)**

Petition for review & application for stay denied

S120382

**PEOPLE v. SANCHEZ
(VINCENT HENRY)**

Extension of time granted

Good cause appearing, and based upon counsel Michael R. Snedeker's representation that the appellant's reply brief is anticipated to be filed by October 2, 2017, an extension of time in which to file that brief is granted to October 2, 2017. After that date, no further extension is contemplated.

S239907 D068657 Fourth Appellate District, Div. 1

**SAN DIEGO, COUNTY OF v.
COMMISSION ON STATE
MANDATES**

Extension of time granted

On application of appellants County of San Diego, County of Los Angeles, County of Orange, County of Sacramento, and County of San Bernardino, and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to August 30, 2017.

S241767**NEWCOMB ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL WILLIAM NEWCOMB, State Bar Number 188321, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. MICHAEL WILLIAM NEWCOMB is suspended from the practice of law for the first 90 days of probation;
2. MICHAEL WILLIAM NEWCOMB must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 24, 2017; and
3. At the expiration of the period of probation, if MICHAEL WILLIAM NEWCOMB has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MICHAEL WILLIAM NEWCOMB must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2018, 2019, and 2020. If MICHAEL WILLIAM NEWCOMB fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S241769**WONG ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that WILLIAM JAKE SUN WONG, State Bar Number 75571, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

WILLIAM JAKE SUN WONG must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S241770**LEWIS ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL ROSS LEWIS, State Bar Number 247934, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. MICHAEL ROSS LEWIS is suspended from the practice of law for the first 30 days of

probation;

2. MICHAEL ROSS LEWIS must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on March 17, 2017; and
3. At the expiration of the period of probation, if MICHAEL ROSS LEWIS has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MICHAEL ROSS LEWIS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S241771

YOUNGE ON DISCIPLINE

Recommended discipline imposed

The court orders that MICHAEL ANTHONY YOUNGE, State Bar Number 170929, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. MICHAEL ANTHONY YOUNGE must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 29, 2017; and
2. At the expiration of the period of probation, if MICHAEL ANTHONY YOUNGE has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MICHAEL ANTHONY YOUNGE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2018, 2019, and 2020. If MICHAEL ANTHONY YOUNGE fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S241772**SMITH ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that THOMAS WILLIAM SMITH, State Bar Number 93102, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

THOMAS WILLIAM SMITH must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S241773**MKRTCHYAN ON
DISCIPLINE**

Recommended discipline imposed

The court orders that MARGARITA MKRTCHYAN, State Bar Number 230191, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. MARGARITA MKRTCHYAN is suspended from the practice of law for a minimum of the first 18 months of probation (with credit given for the period of interim suspension beginning August 8, 2016), and she will remain suspended until she provides proof to the State Bar Court of her rehabilitation, fitness to practice and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. MARGARITA MKRTCHYAN must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 16, 2017.
3. At the expiration of the period of probation, if MARGARITA MKRTCHYAN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MARGARITA MKRTCHYAN must also take and pass the Multistate Professional Responsibility Examination during the period of her suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

MARGARITA MKRTCHYAN must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with her membership fees for each of the years 2018, 2019, and 2020. If MARGARITA MKRTCHYAN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S242126**ETMEKJIAN ON
DISCIPLINE**

Recommended discipline imposed

The court orders that GARBIS DICKRAN N. ETMEKJIAN, State Bar Number 151989, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. GARBIS DICKRAN N. ETMEKJIAN is suspended from the practice of law for the first 60 days of probation;
2. GARBIS DICKRAN N. ETMEKJIAN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 6, 2017; and
3. At the expiration of the period of probation, if GARBIS DICKRAN N. ETMEKJIAN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

GARBIS DICKRAN N. ETMEKJIAN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2018, 2019, and 2020. If GARBIS DICKRAN N. ETMEKJIAN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S242128**OLSON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that KENNETH CLIFFORD OLSON, State Bar Number 279643, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. KENNETH CLIFFORD OLSON must comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S242129**MORAWSKI ON DISCIPLINE**

Recommended discipline imposed

The court orders that DEBBIE LEE MORAWSKI, State Bar Number 248466, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. DEBBIE LEE MORAWSKI must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 11, 2017; and
2. At the expiration of the period of probation, if DEBBIE LEE MORAWSKI has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DEBBIE LEE MORAWSKI must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with her membership fees for each of the years 2018, 2019, and 2020. If DEBBIE LEE MORAWSKI fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S242130**SCULLY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that STEVEN MICHAEL SCULLY, State Bar Number 263092, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. STEVEN MICHAEL SCULLY must make restitution to Brian Drake in the amount of \$2,000 plus 10 percent interest per year from March 16, 2015. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

STEVEN MICHAEL SCULLY must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S242131**SARGENT ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that LAWRENCE E. SARGENT, State Bar Number 134604, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

LAWRENCE E. SARGENT must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment

S242132**FISCHER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that CARMEN LYNNE FISCHER, State Bar Number 117363, is summarily disbarred from the practice of law and that her name is stricken from the roll of attorneys.

CARMEN LYNNE FISCHER must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.